IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.
(PIL) WRIT PETITION NO.113 OF 2006

Mumbai General Employees Association. .. .. Petitioner
v/s.
State of Maharashtra & ors. .. Respondents

Mr.Susheel Mahadeshwar i/by Ranjana Todankar for petitioner.

Mr.K.R.Belosey, GP for respondent Nos.1, 3 & 4.

Mr.M.M.Vashi for respondent No.7.

CORAM : H.L. GOKHALE, ACTING C.J. &
V.M. KANADE, J.

DATED : 23rd January 2007

P.C. :

1. Heard Mr.Mahadeshwar in support of this Petition. Mr.Belosey, Government Pleader appears for respondent Nos.1, 3 and 4 and Mr.Vashi for respondent No.7. The other respondents and particularly respondent No.2, though served, are not present.

2. This Petition is filed by an Association of Employees. This Association represents the employees working under respondent No.2. Respondent No.2 was running its activities in the Aarey Milk Colony at Goregaon from 1976. Suddenly its functioning was discontinued and a permission appears to have been given to respondent No.7.

This was concerning a Centre known as Biotic Centre. The main activity of the said Centre was to improve the progeny of cattle. One Petition was earlier filed by the petitioner-Association being Writ Petition (Lodging) No.2731 of 2004. The Joint Director of Industries filed an Affidavit in that proceedings on 6th April 2005 in which it was mentioned that the termination of the functioning of respondent No.2 was bad and was not in consonance with the agreement governing their functioning.

3. The present Petition prays for the cancellation of the licence issued to respondent No.7.

4. Mr.Mahadeshwar, learned Counsel appearing for the petitioner, however, stated on the last date that if the State Government i.e. respondent No.1 and respondent Nos.3 and 4 take appropriate steps to retrieve the premises allotted to respondent No.7, the petitioner would be satisfied.

5. In view of this statement made by Mr.Mahadeshwar, we had asked Mr.Belosey, Government Pleader on the last date as to whether

the Government will take necessary follow-up action in view of Government's Affidavit filed in the earlier Writ Petition (Lodging) No.2731 of 2004. On the request of Mr.Belosey, the matter was adjourned to today's date to take instructions. Mr.Belosey states that he is leaving it to the Court to pass appropriate orders.

6. This being the position, it is clear that the Government has taken a stand on this controversy. In the earlier Writ Petition, an Affidavit has been specifically filed in that regard. All that we expect is that the Government must take the follow-up action. We accordingly direct the Government and its officers to take the follow-up action in continuation to the Affidavit that they have filed in the earlier Writ Petition.

7. Petition disposed of with the above order.

(ACTING C.J.)

(V.M. KANADE, J.)